IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.974 OF 2005

WITH

CIVIL APPLICATION NO.1347 OF 2005

M/s.S.D.Shethia & Co. Pvt.Ltd. ..Appellant.

Vs.

Manohar Shethia by and
through his constituted Attorney
Haresh Thakkar & anr. ..Respondents.

...

Ms.Sucharita Patra for the Appellant.

Ms.Sunit Potdar for Respondent No.1.

...

CORAM : DR.D.Y.CHANDRACHUD, J.

19th December, 2005.

P.C. :

Counsel appearing for the Respondent who is the Original Plaintiff before the City Civil Court states that her client has applied for leave to withdraw the suit before the Trial Court and that accordingly, it would be in the fitness of things

if this Court were to permit the withdrawal of the suit at this stage. In as much as the Original Plaintiff does not seek to pursue the proceedings in the suit any further, the suit is dismissed as withdrawn. The Appeal is accordingly disposed of.

In view of the disposal of the Appeal from Order, the Civil Application is rendered infructuous and is accordingly disposed of.